

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 SSO-00 INR-07 INRE-00 L-03

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 4920

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E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR - LAKER SKYTRAIN SERVICE

1. UK JUNE 10 DELIVERED FOLLOWING DOCUMENT, WHICH
SHOULD BE INCLUDED IN DEPT OPEN DOCKET FILE ON LAKER
CASE:

QUOTE LAKER AIRWAYS LTD. SKYTRAIN SERVICE FROM PATRICK
SHOVELTON, DEPARTMENT OF TRADE, TO JOEL W. BILLER,
DEPARTMENT OF STATE:

THESE ARE THREE IMMEDIATE POINTS WE WOULD WISH TO MAKE
IN RELATION TO THE BOARD'S OPINION AND ORDER OF JUNE
6, 1977:

(1) THE UK GOVERNMENT CONSIDERS THE PROPOSED
RESTRICTION OF THE PROPOSED PERMIT TO LAKER AIRWAYS
LTD. TO ONE YEAR TO BE COMPLETELY UNREASONABLE.
WE KNOW OF NO OTHER INSTANCE WHERE PERMITS FOR
INTERNATIONAL SCHEDULED SERVICES HAVE BEEN SIMILARLY
LIMITED.

(2) THE UK GOVERNMENT SEEKS AN ASSURANCE THAT A WAIVER
WILL BE GIVEN TO LAKER AIRWAYS LTD. AS TO OTHER
BRITISH OPERATORS TO ALLOW THEM TO OPERATE OFF-ROUTE

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CHARTERS IN ACCORDANCE WITH THE EXISTING CHARTER
MEMORANDUM OF UNDERSTANDING WHICH, AS WE HAVE SAID,
WE ARE ENTIRELY WILLING TO RENEW.

(3) THE UK GOVERNMENT TAKES THE STRONGEST EXCEPTION TO
THE CONTINUED REFERENCE BY THE BOARD TO LAKER
AIRWAYS LTD. COMPLIANCE RECORD AND DISPOSITION
BASED ON ONE PROCEEDING OF SEVERAL YEARS AGO, SEEING

THAT NUMEROUS OTHER AIRLINES HAVE AT ONE TIME OR
ANOTHER BEEN FOUND GUILTY OF VIOLATIONS. THE
INSISTENCE OF THE BOARD ON THIS ASPECT OF LAKER'S
RECORD IS WIDELY AT VARIANCE WITH THEIR ATTITUDE AS
REGARDS OTHER AIRLINES. THE THREAT TO REMOVE THE
PERMIT AT THE END OF ONE YEAR (SEE BOTTOM OF PAGE
32 OF THE OPINION) IS IN THE UNITED KINGDOM'S
VIEW TOTALLY UNREASONABLE.
THE ABOVE IS WITHOUT PREJUDICE TO A MORE DETAILED STUDY
OF THE OPINION, AND THE UK SIDE IN THE BILATERAL AIR
SERVICES NEGOTIATION MAY WISH TO RAISE OTHER POINTS
WITH THE US TEAM. UNQUOTE

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Message Attributes

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Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
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Disposition Case Number: n/a
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Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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